

Carter M. Mann, OSB No. 960899
mannc@lanepowell.com
Courtney McFate, OSB No. 202025
mcfatec@lanepowell.com
LANE POWELL PC
601 S.W. Second Avenue, Suite 2100
Portland, Oregon 97204
Telephone: 503.778.2100
Facsimile: 503.778.2200

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

STEVEN L. STANLEY,

Plaintiff,

v.

COMMUNITY DEVELOPMENT
PARTNERS (CDP); GUARDIAN
MANAGEMENT, LLC; VIRIDIAN
MANAGEMENT, INC.

Defendants.

Case No. 3:21-CV-193-MO

**PROPOSED JOINT FRCP 26
DISCOVERY PLAN**

1. Pursuant to Fed. R. Civ. P. Rule 26(f) and L.R. 26-1, counsel for all parties held an initial conference regarding discovery planning on November 15, 2021, and have conferred on and agreed to the contents of this proposed discovery plan.

2. **Pre-Discovery Disclosures.** The parties agree that initial disclosures under Fed. R. Civ. P. 26(a)(1) will be completed by December 29, 2021.

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

a. Discovery will be needed on the following subjects:

- 1) Plaintiff's allegations
- 2) Defendants' affirmative defenses, and any other defenses that may arise in the course of discovery.
- 3) All other issues raised by the pleadings;
- 4) Any expert disclosures;
- 5) All other matters that are reasonably calculated to lead to the discovery of admissible evidence.

b. The parties propose the following deadlines:

Event	Deadline
Initial disclosures complete	December 29, 2021
Conferral regarding ADR	January 10, 2022
Completion of all discovery, including depositions and responses to all written discovery	April 15, 2022
Submission of joint ADR report	May 2, 2022
Plaintiff's amendment of pleadings, joinder of parties, filing of third-party complaint	May 16, 2022
Defendants' amendment of pleadings, joinder of parties, filing of third-party complaint	June 13, 2022
Submission of dispositive motions	July 18, 2022
Disclosure of expert witnesses	90 days before date set for trial
Joint Pretrial Order	Deadline to be set at the same time as trial setting

c. Maximum of three depositions by each party (exclusive of expert witnesses).

d. Supplementations of reports or information shall be made by all parties reasonably as they become aware that information previously disclosed is incomplete or incorrect, and in any event, not later than the end of the discovery period and again thirty (30) days before the beginning of the session of Court at which the case is set for trial, in conjunction with the other disclosures required by Rule 26(a)(3).

e. The parties have agreed to take steps to preserve electronically stored

information and do not anticipate any difficulties or complications with respect to electronically stored information. The parties agree that electronically stored information will be produced in the form(s) in which the information is ordinarily and customarily maintained in the usual course of business, or, if not reasonably usable in that form, in such other form as is reasonably usable.

f. The case is expected to be ready for trial on or around September 12, 2022, to be scheduled after any dispositive motions are resolved, and is expected to take no more than three to four days. The parties request a pretrial conference approximately two weeks before trial.

g. The parties are in agreement that this case does not need early judicial intervention due to complexity or other factors.

h. All parties reserve the right to move for a protective order, as appropriate.

4. **Request for Extension for Deadlines to File Joint Proposed Pretrial Order and Joint ADR Report.** The parties respectfully request that the Court extend the deadline to file the Joint ADR Report from January 3, 2022 to May 2, 2022, so that the parties have sufficient time to attempt ADR at least once before the report is due. In addition, the parties respectfully request that all deadlines for pretrial motions and filings, including a Proposed Pretrial Order, be set at the same time as trial setting.

DATED: November 29, 2021

LANE POWELL PC

By: s/ Courtney McFate

Carter M. Mann, OSB No. 960899

Courtney McFate, OSB No. 202025

Telephone: 503.778.2100

Attorneys for Plaintiff

DAVIS ROTHWELL EARLE & XÓCHIHUA P.C.

By: s/ Sean D. McKean

Christopher J. Drotzmann, OSB No. 962636

Sean D. McKean, OSB No. 204142

Telephone: 503.222-4422

Attorneys for Defendants Community Development
Partners and Guardian Management, LLC